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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

JAN OLIVIER

For:

APPARATUS.

AND ASSOCIATED

METHOD,

FOR

COMMUNICATION SYSTEM EXHIBITING TIME-VARYING

COMMUNICATION CONDITIONS

U.S. Serial No.:

10/600,993

Filed:

06/20/2003

Group Art Unit:

2667

Examiner:

JONES, PRENELL P.

Atty. Docket No.

NC17617 (9019.105)

Mail Stop Amendment Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§1.97 and 1.98, and §609 of the Manual of Patent Examining Procedure. The patents, publications and other information herein are listed below and on the attached Form PTO-1449.

Each of the references listed below was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

PATENT DOCUMENTS

US 6,606,391	08/12/2003	Brennan, et al.
US 6,091,361	07/18/2000	Davis, et al.
US 6,661,895	12/09/2003	Jin, et al.
US 5,323,391	06/21/1994	Harrison

Applicant hereby expressly reserves the right to swear behind the effective date of the references and to question the relevance and materiality of the references cited, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

Respectfully submitted,

Date: 7/Vi

Robert H. Kelly, Reg No. 33,922

Attorney for Applicant

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PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to res

Substitute for form 1449/PTO

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Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/600,993		
Filing Date	06/20/2003		
First Named Inventor	Jan Olivier		
Art Unit	2667		
Examiner Name	Jones, Prenell P.		
Attorney Docket Number			

			U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 6,606,391	08/12/2003	Brennan, et al.	
		^{US-} 6.091.361	07/18/2000	Davis, et al.	
		^{US-} 6,661,895	12/09/2003	Jin, et al.	
		^{US-} 5,323,391	06/21/1994	Harrison	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



SCHEEF & STONE, L.L.P.

Legal counsel based on solid principles.

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

Date of Mailing: NCV, 9, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the above identified date.

Diane Taylor

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SIGNATURE of person mailing paper or fee

November 8, 2004

DOCKET NUMBER: NC17617

(9019.105)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In re:

U.S. Serial No. 10/600,993

Inventor: Jan Olivier

Title: Apparatus, and Associated Method, for Communication System Exhibiting Time-Varying Communication Conditions

Enclosed please find:

Form PTO/SB/08A;

Four (4) references; and

Return post card

Respectfully submitted,

By:

Reg. No. 33,922

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